

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

INSTITUTO DE EDUCACION
UNVERSAL, INC. and ANGEL
RUIZ RIVERA

*

Plaintiffs

*

v.

Civil No. 98-1300(SEC)

GREAT LAKES HIGHER EDUCATION
CORP., et al.

*

*

*

Defendants

*

RECEIVED & FILED
00 APR 13 PM 2:00
CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, PR

ORDER

As it can be easily gleaned from their filings (**Docket # 40**, at 3; **Docket # 47**; **Docket # 49**; **Docket # 51**; **Docket # 52**; **Docket # 54**; **Docket # 57**; **Docket # 60**; **Docket # 63**; and **Docket # 64**), the parties in this case are having trouble in solving their discovery disputes and finally concluding discovery. Therefore, the Court hereby **REFERS** the above-mentioned dockets to Magistrate Judge J.A. Castellanos for the holding of a conference within the next **thirty (30) days** to specifically address all discovery issues. The main purpose of this conference shall be to get the parties to agree upon a **firm and final** date for the conclusion of discovery, which, in any event, **shall not exceed sixty (60) days** from the date such conference is held. In the event that the parties are unable to reconcile their differences and agree upon a deadline for the conclusion of discovery, Magistrate Judge Casetellanos will set such deadline at his discretion. Magistrate Judge Castellanos shall also set a subsequent **final** date for filing motions for summary judgment. After this deadline, if no summary judgment motions are filed, the Court will proceed to set the dates for pretrial and settlement conference and trial.

69

Civil No. 98-1300(SEC)

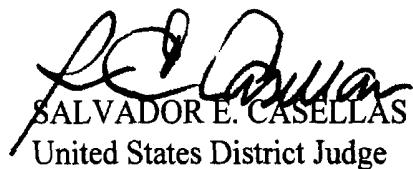
2

Pursuant to the above, Great Lakes Higher Education Corp.'s ("Great Lakes") requests for sanctions, including dismissal (**Dockets # 52, # 54 and # 60**) are hereby **DENIED**. Moreover, regarding plaintiff Instituto de Educación Universal, Inc.'s ("IEU") motion for summary judgment, the Court notes that it does not fully comply with P.R. Loc. R. 311.12, in that it is not accompanied by a statement of facts to which plaintiff contends there is not issue to be tried, with "the basis of such contention as to each material fact, **properly supported by specific reference to the record.**" The Court will not waste its time ferreting through the record for such support. However, recognizing this circuit's "strong policy of favoring the disposition of cases on the merits," Velázquez-Rivera v. Sea-Land Service, Inc., 920 F.2d 1072, 1075 (1st Cir. 1990) (internal quotation marks and citations omitted), the Court hereby **DENIES** IEU's motion for summary judgment (**Docket # 58**) without prejudice of refiling it again once discovery has concluded. IEU's renewed motion shall **rigorously** comply with P.R. Loc. R. 311.12.

Finally, upon "Great Lakes' Response to Plaintiff Angel Ruiz' Informative Motion" (**Docket # 65**), attorney Santiago R. Palmer is hereby **ORDERED** to inform the Court **within ten (10) days** of the entry date of this order, whether he is also representing IEU. If this is the case, attorney Palmer shall file a notice of appearance on behalf of IEU within the above-prescribed period of time.

SO ORDERED.

In San Juan, Puerto Rico, this 13 day of April, 2000.


SALVADOR E. CASELLAS
United States District Judge